

P.N.D.C.L. 312
COUNCIL OF INDIGENOUS BUSINESS ASSOCIATIONS ACT, 1993

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P.N.D.C.L. 312
COUNCIL OF INDIGENOUS BUSINESS ASSOCIATIONS ACT, 1993(1)

AN ACT to establish a Council to oversee the affairs of indigenous business associations and for related matters.

1. Establishment of the Council

(1) There is hereby established a body to be known as the Council of Indigenous Business Associations.

(2) The governing body of the Council is a Board consisting of

- (a) two representatives of each association registered with the Council,
- (b) one representative of the Ministry of Social Welfare, and
- (c) the executive secretary and national treasurer of the Council appointed under section 6.

(3) The chairman of the Board shall be elected by the members of the Board from among their number.

(4) The chairman and other members shall hold office for a period of four years and are eligible for re-appointment.

(5) The Board shall meet annually to consider

- (a) the reports and activities of the executive committee, and
 - (b) the audited accounts of the Council.
- (6) The quorum for a meeting of the Board is one-third of the members.

2. Functions of the Council

The functions of the Council are

- (a) to register applicants under this Act;
- (b) to monitor the operations of the registered associations with a view to recommending improvements;
- (c) to foster harmony and understanding among member associations;
- (d) to provide information and advice on matters relating to the interests of member associations at the request of those associations;
- (e) to act as the representative of member associations in negotiations with the Government.

3. Association to be registered with the Council

- (1) The associations specified in the Schedule shall be registered with the Council.
- (2) There shall be registered with the Council any other associations of Ghanaian indigenous business that the Minister may approve.
- (3) An application for registration shall be made in the form that the Council may after consultation with the Minister direct.
- (4) The Council shall on the registration of an association issue it with a certificate of registration.
- (5) The prescribed fee shall be paid in respect of each registration.

4. Executive committee of the Council

- (1) The Council shall have an executive committee composed of
 - (a) the chairman of the Board,
 - (b) the executive secretary,
 - (c) the national treasurer, and
 - (d) three other members of the Board appointed by the Board from among their number.
- (2) A member of the executive committee shall on ceasing to be a member of the Board, cease to be a member of the executive committee.
- (3) The executive committee shall meet at least once in every two months at the times and places determined by the chairman.
- (4) The executive committee shall, in between meetings of the Board, perform for and on behalf of the Council the functions of the Council under this Act.
- (5) Despite this section, the Board may appoint from among its members any other committees that it considers necessary and may assign to a committee a specific function that the Board may determine.

5. Executive secretary and regional treasurer

(1) An executive secretary of the Council shall be appointed by the President acting in accordance with article 195 of the Constitution.

(2) The executive secretary is responsible, under the direction of the executive committee, for the day-to-day administration of the business and affairs of the Council.

(3) The Council shall have a national treasurer who shall be appointed by the President acting in accordance with article 195 of the Constitution.

(4) The appointment of the executive secretary and the national treasurer shall be made on the terms and conditions that the Minister in consultation with the Public Services Commission shall determine.

6. National, regional and district offices

(1) The national offices of the Council shall be in Accra.

(2) A branch office of the Council shall be established in each Region.

(3) A regional branch of the Council shall be composed of two representatives of each association registered with the national office and one representative of the regional administration.

7. District branches

(1) A district branch of the Council shall be established in each district.

(2) The membership of a district branch of the Council shall be determined by the Board in consultation with the Minister and shall include one representative of the District Assembly.

8. Functions of regional and district branches

Regional and district branches of the Council shall perform the functions of the Council as directed by the Board.

9. Funds

The funds of the Council include

- (a) licence fees,
- (b) the grants provided by the Government, and
- (c) donations.

10. Financial year of the Council

The financial year of the Council shall be the same as the financial year of the Government.

11. Accounts, audit and annual reports

(1) The Council shall keep proper accounts and records in the form approved by the Auditor-General.

(2) The accounts of the Council shall be audited each year by the Auditor-General or an auditor appointed by the Auditor-General.

(3) The Council shall furnish the Minister with its annual reports and a copy of the auditor's report.

12. Regulations

The Minister may, by legislative instrument, make Regulations

- (a) to prescribe the licence fee to be paid by an association; and
- (b) to provide generally for the effective implementation of this Act.

13. Interpretation

In this Act, unless the context otherwise requires,

“**Board**” means the governing body of the Council;

“**Council**” means the Council established under section 1;

“**member**” means member of the Board;

“**Minister**” means the Minister responsible for Social Welfare;

“**prescribed**” means prescribed by Regulations or by the Minister;

“**region**” means a region of Ghana within the meaning of article 5 of the Constitution.

Schedule

[Section 4]

Ghana National Association of Garages
National Drinking Bar-operators Association
Ghana Hairdressers and Beauticians Association
Ghana National Tailors and Dressmakers Association
Ghana Co-operative Bakers Association
Federation of Ghanaian Jewellers
National Association of Refrigeration Mechanics
National Association of Traditional Healers
Federation of Market Women
Ghana National Traditional Caterers Association

Endnotes

1 (Popup - Footnote)

1. This Act was issued as the Council of Indigenous Business Associations Law, 1993 ([P.N.D.C.L. 312](#)), made on the 5th day of January, 1993 and notified in the *Gazette* on 12th February, 1993.